**FARAD CONTINUATION SHEET No.**

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**APPELLATE SIDE.**
**IN**
**CRIMINAL APPLICATION NO. 2785 OF 2004.**

Sampatraj Adania. .. Applicant.
vs.
The State of Maharashtra. .. Respondents

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| Office Notes,Office Memoranda of Coram, appearnaces,Courts's orders or directions and Registrar's orders. | : | Court's or Judge's orders |

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Shri Subhash Jha i/b M/s Law Global for the applicant.

Shri Sanjay Khemka- respondent No.3 present in person.

Shri D.P.Adsule, A.P.P. for the State.

**CORAM: V.M.KANADE,J.**
**DATED: 28-2-2005.**

**P.C.:**

1. Applicant has filed this application seeking directions from this Court, directing the Metropolitan Magistrate, 44th Court, Andheri, Mumbai, to decide the application which is filed by the petitioner under section 451 of the Criminal Procedure Code.

2. It is submitted that the Metropolitan Magistrate has refused to pass orders on the said application on the ground that respondent No.3 has not been served. Respondent No.3 is present in Court. He submits that he will appear before the Metropolitan Magistrate on

4.3.2005. The trial Court is directed to decide the application filed by the applicant under section 451 of the Cri.P.C. as expeditiously as possible and in any event, within a period of one month. It is made clear that the application should be decided on merits after giving hearing to respondent No.3. Respondent No.3 waives service of notice and submits that no further notice should be issued to him.

3. Respondent No.3 makes a statement that the address given by him is correct and any change in address will be notified. Criminal application is disposed of in the above terms.

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